

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER IRELAND,	)
Petitioner	)
	)
vs.	) Civil Action No. 05-1623
	) Judge Gary L. Lancaster/
MRS. BROOKS; DISTRICT ATTORNEY	) Magistrate Judge Amy Reynolds Hay
OF THE COUNTY OF ALLEGHENY;	)
ATTORNEY GENERAL OF THE STATE	)
OF PENNSYLVANIA; THOMAS N.	)
FARRELL,	)
Respondents	)

AND NOW, this 7<sup>th</sup> day of Feb, 2006, after the petitioner,

Christopher Ireland, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by petitioner, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the Petition for Writ of Habeas Corpus be dismissed without prejudice for failure to exhaust state court remedies;

IT IS FURTHER ORDERED that a certificate of appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
\_\_\_\_\_  
GARY L. LANCASTER  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Christopher Ireland  
GB-6366  
SCI Albion  
10745 Rt 18  
Albion, PA 16745